

REMARKS

Applicant thanks the Examiner for allowing claim 3. While claims 4-6 were indicated as being rejected in the Office Action Summary, no specific basis for their rejections were given in the Office Action itself. Since claims 4-6 depend from claim 3, Applicant assumes the Examiner intended to allow claims 4-6 also, and thanks the Examiner.

Claims 26-28 were objected to for being dependent from claim 24. Claims 26-28 have been amended to properly depend from claim 25. For reasons to be discussed in further detail below, claims 26-28 are in condition of allowance.

Claims 1-2, 7-9 and 11-28 were rejected under 35 USC 101 for directed towards non-statutory subject matter. The Examiner further amplified his rejections of the claims for having no specific set of output. Applicant assumes claims 1-2, 7-9 and 11-28 were rejected for "lack of utility", and responds accordingly.

Specifically, notwithstanding Applicant's disagreement with the Examiner's analysis, in the interest of expeditiously bringing prosecution to a conclusion, Applicant has amended independent claims 1, 7, 11 and 15 to overcome the Examiner's rejections, placing them in condition of allowance. Additionally, Applicant has taken this opportunity to amend these claims to improve their readability. No new matter has been introduced.

Claim 2 has been amended to conform to amended claim 1. No new matter has been introduced. Claims 2, 8-9, 12-14, and 16-20 depend from claim 1, 7, 11 or 15, incorporating their recitations respectively. Accordingly, for at least the same reason, claims 2, 8-9, 12-14 and 16-20 are also in condition of allowance.

Each of claims 21 and 25 includes in substance the recitation of "stream thereafter, second audio data to the remote client device for a second period time". Accordingly, Applicant submits the method and apparatus of claims 21 and 25 cannot be said as "lacking output". Thus, withdraw of Examiner's rejections is respectfully requested.

Claims 22-24 and 26-28 depend from claims 21 and 25 respectively. Thus, for at least the same reason, withdraw of Examiner's rejections is respectfully requested.

In view of the foregoing, Applicant respectfully submits that claims 1-9, and 11-28 are in condition for allowance. Early issuance of the Notice of Allowance is respectfully requested.

Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,
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